



**US Army Corps  
of Engineers®**

Nashville District

# Public Notice

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Public Notice No. **03-90**

Date: November 21, 2003

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Application No. **200001070**

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Please address all comments to:  
Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road, Nashville, TN 37214

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**JOINT PUBLIC NOTICE**  
**US ARMY CORPS OF ENGINEERS**  
**TENNESSEE VALLEY AUTHORITY**  
**AND**  
**STATE OF TENNESSEE**

**SUBJECT:** Proposed Channel Relocation and Culvert Construction for State Route 15  
(U.S. 64) Improvements

**TO ALL CONCERNED:** The application described below has been submitted for a Department of the Army Permit pursuant to **Section 404 of the Clean Water Act (CWA)** for the discharge of fill material into waters of the United States, and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**. Before a permit can be issued, certification must be provided by the state of Alabama, pursuant to **Section 401(1)(1) of the CWA**, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

**APPLICANT:** Tennessee Department of Transportation  
Environmental Planning and Permits Division  
Suite 900, J.K. Polk Building  
505 Deaderick Street  
Nashville, Tennessee 37243  
Montgomery, Alabama 36130

**LOCATION and DESCRIPTION:** Various Unnamed Tributaries to Flat Gap Creek, a tributary to Tennessee River Mile 168.2R, along existing State Route 15, in Hardin County, Tennessee (Olivehill and Eagle Creek Quads)

Site 1 (I404#1): Station 812+00 to 817+45; Unnamed Tributary Mile 0.1, a tributary to Flat Gap Creek Mile 1.7L, (Olivehill Quad; lat 35-16-44.8320; lon 88 -0-0.170280)

The proposed work at this site involves channel relocation of 495' of the existing unnamed intermittent stream and removal of 25' of 18" pipe culvert (for a total of 520' of existing conditions impacted). The proposed open channel would be 502' long plus 26'

of 24" pipe culvert (under a private drive) and 12' of riprap channel for scour protection (for a total of 540' of proposed channel and structures).

Site 2 (I404#2): Sta. 827+70 to Sta. 847+50; Unnamed Tributary Mile 0.1, a tributary to Flat Gap Creek Mile 2.0R, (Olivehill Quad; lat 35-16-43.8600, lon 88-0-0000)

The proposed work at this site involves channel relocation of 1,913' of unnamed, intermittent stream and removal of 24' of 24" pipe culvert and removal of 35' of 24" pipe culvert (for a total of 1,972' of existing conditions impacted). A new open channel would be constructed approximately 1,724' long. In addition to the new open channel, 16' of 2 @ 30" pipe culverts and 38' of 2 @ 30" pipe culverts would be placed along with 30' of endwalls, and 50' of riprap channel for scour protection (for a total of 1,858' of proposed channel and structures). Associated with this proposed work is 30' of riprap bank stabilization

Site 3 (I404#3): Sta. 832+00 to Sta. 834+80; Unnamed Tributary Mile 0.2, a tributary to Flat Gap Creek Mile 2.1R, (Eagle Creek Quad; lat 35-16-48.7920, lon 87-59-57.5520)

The proposed work at this site involves channel relocation of 264' of an existing unnamed, intermittent stream. The new open channel would be constructed 267' long plus 22' of 36" pipe culvert (for a total of 289' of proposed channel and structures).

Site 4 (IARAP#5): Sta. 874+63 to Sta. 891+00; Unnamed Tributary Mile 0.5, a tributary to Flat Gap Creek Mile 2.8R, (Eagle Creek Quad; lat 35-16-53.7240, lon 87-57-17.4480)

The proposed work at IARAP#5 consists of channel relocation of 1,766' of existing intermittent tributary plus removal of 52' of 2 @ 10' by 5' box culvert (for a total of 1,818' of existing conditions impacted). A new open channel would be constructed 1,477' long, plus 214' of 3 @ 8' by 6' box culvert (for a total of 1,691' of open channel and structures).

All new open channels would be constructed to mimic the existing conditions of the original channels and involve tree planting as shown on the attached plans. Mitigation for the stream loss and/or encapsulation from the project would be provided by participating in the Tennessee In-Lieu Fee Stream Mitigation Program (ILFSMP).

Six other sites are proposed along this proposed section of SR-15 improvements that would require a Department of the Army (DA) permit, but meet the conditions for Nationwide Permit #14 (Linear Transportation Projects). However, the sites would still require mitigation, which has also been proposed by participating in the ILFSMP.

Table 1 is enclosed and provides the total amount of project impacts and proposed mitigation for the entire SR-15 improvement project. The complete project mitigation would involve a total of 2165' of stream impacts by participating in the ILFSMP for a total cost of \$433,000.

The proposed alignment utilizes the existing alignment of SR-15 to the extent possible. The purpose of the proposed work would allow the highway upgrade to handle the continual growth of traffic, improve the existing design deficiencies, and improve public safety in this area.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment (EA) and Findings of No Significant Impact (FONSI) have been prepared and approved on June 17, 2002, by the Federal Highway Administration for this project.

An archaeological survey has been prepared for this project and previously coordinated with the Tennessee Historical Commission (THC). THC responded to the survey results by letter dated May 28, 2002, stating that based on the information provided, they find that the project area, contains no archaeological resources eligible for listing in the National Register of Historic Places.

The applicant has previously coordinated the proposed project with the U.S. Fish and Wildlife Service (USFWS). USFWS responded by letter dated March 10, 1999, stating that endangered species collection records do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the USFWS is not planned at this time.

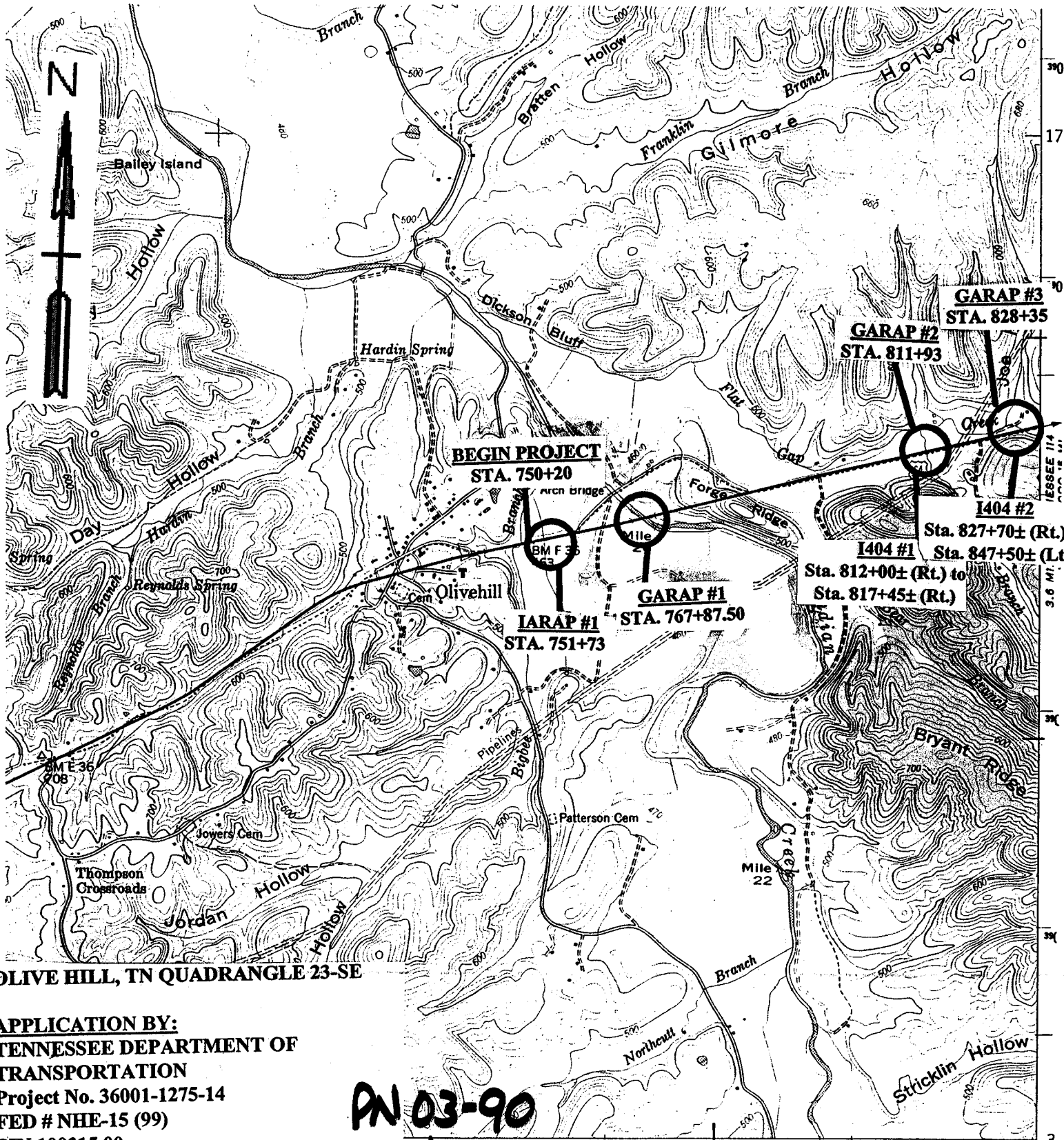
Other federal, state, and/or local approvals required for the proposed work are as follows:

Tennessee Valley Authority (TVA) approval is required under Section 26a of the TVA Act for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

Water Quality Certification from the state of Tennessee is required for the proposed work in accordance with Section 401(a)(1) of the Clean Water Act.

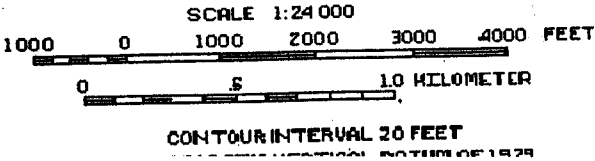
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before December 22, 2003, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Amy Robinson, at the above address, telephone (615) 369-7509. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Mr. Randy Lowe, Tennessee Valley Authority, Kentucky Lake Land Management Office, P.O. Box 280, Paris, Tennessee 38242-0280.

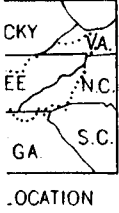


OLIVE HILL, TN QUADRANGLE 23-SE

APPLICATION BY:  
TENNESSEE DEPARTMENT OF  
TRANSPORTATION  
Project No. 36001-1275-14  
FED # NHE-15 (99)  
PIN 100315.00  
SR-15 (US-64)  
From 800 FT west of Bigbee Branch  
To Wayne Co. Line  
Hardin County  
Near: Olive Hill, Tennessee



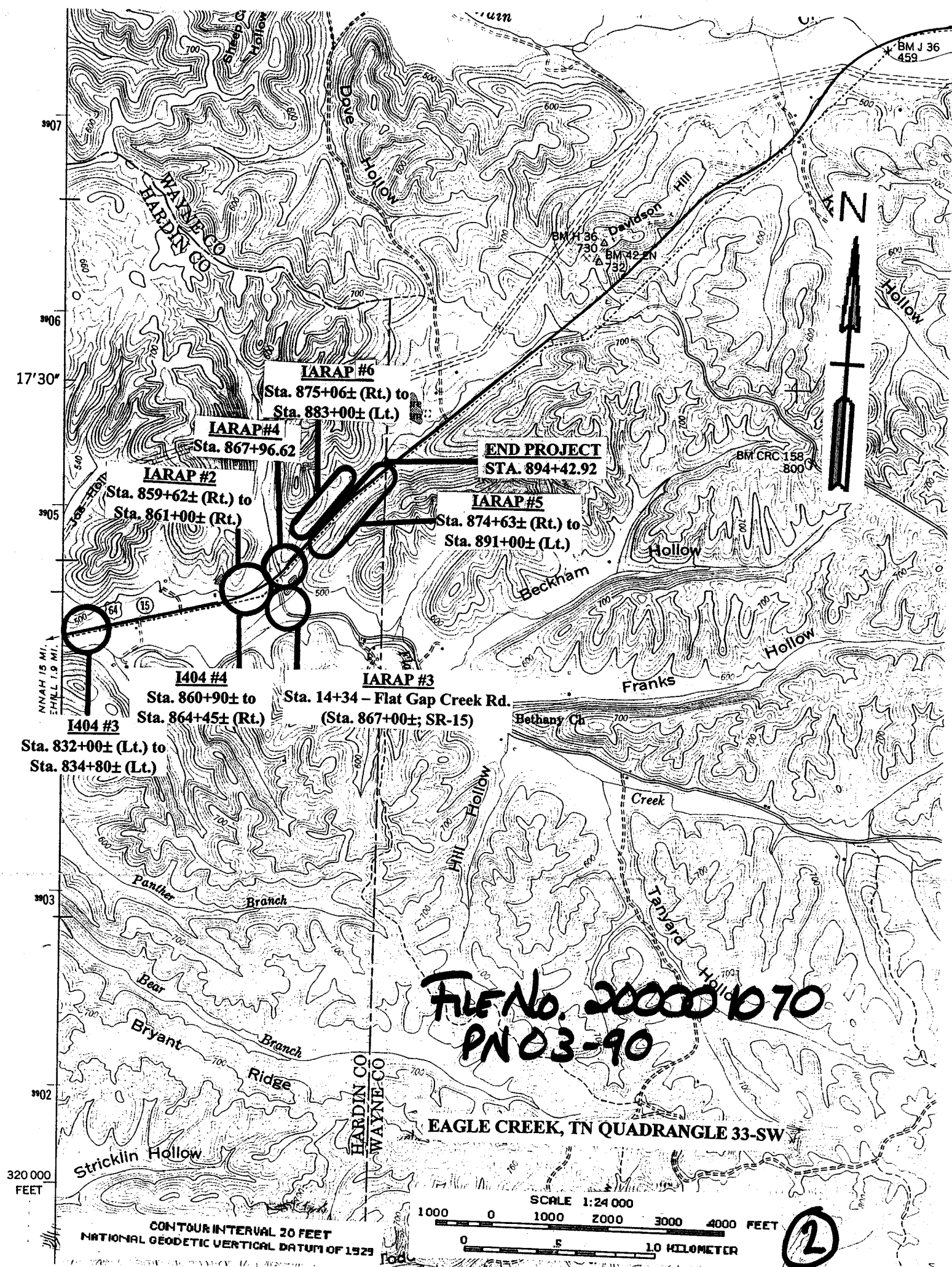
PN 03-90  
File No. 200001670



ROAD CLASSIFICATION	
Heavy-duty .....	Poor motor road ....
Medium-duty .....	Wagon and jeep track .....
Light-duty .....	Foot trail .....
U. S. Route	State Route
In developed areas, only through roads are classified	

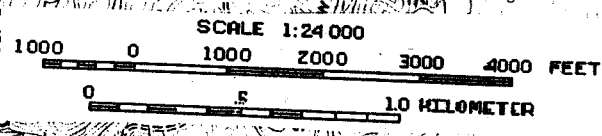
①

OLIVEHILL, TENN  
N3515-W8800/7.5



FILE No. 200001070  
PN 03-90

EAGLE CREEK, TN QUADRANGLE 33-SW

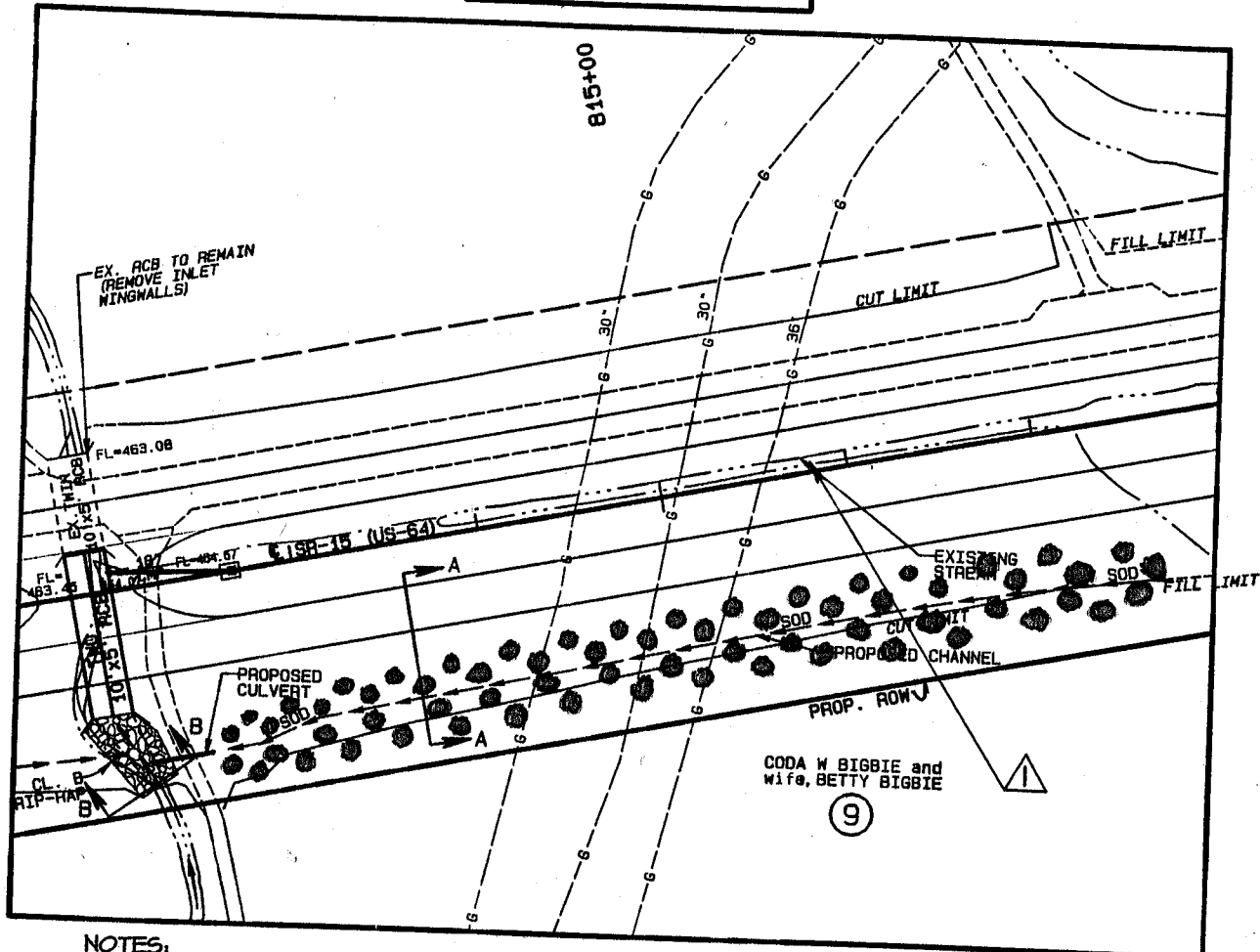


2

File No. 200001070

I404#1  
PN 03-90

Permit Sketch



NOTES:

- △ REMAINING STREAM IMPACTS WILL BE MITIGATED USING THE IN-LIEU FEE PROGRAM.

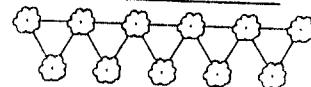
GRAPHIC SCALE



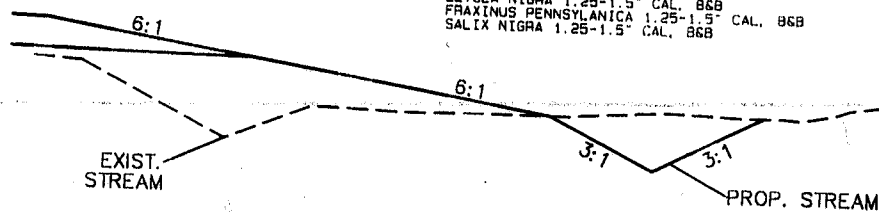
TREE SPECIES

ACER NEGUNDO 1.25-1.5" CAL. 86B  
ACER RUBRUM 1.25-1.5" CAL. 86B  
BETULA NIGRA 1.25-1.5" CAL. 86B  
FRAXINUS PENNSYLANICA 1.25-1.5" CAL. 86B  
SALIX NIGRA 1.25-1.5" CAL. 86B

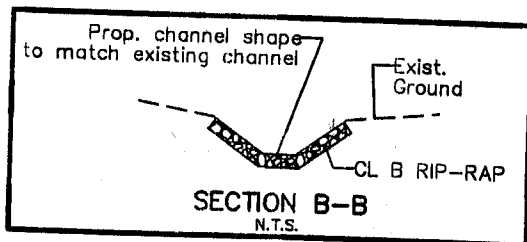
PLANTING SCHEME FOR TREES



TREES WILL BE RANDOMLY PLANTED ALTERNATING ROWS ON 15 FT. CENTERS.



SECTION A-A  
Scale: 1"=20'



SECTION B-B  
N.T.S.

STA. 812+00± (RT) TO STA. 817+45± (RT)

Existing Open Stream Impacts = 495 LF  
Exist. Culvert Length = 25 LF (18' CMP)  
Prop. Culvert Length = 26 LF  
Prop. Open Stream Length = 502 LF

APPLICATION BY:

TENNESSEE DEPT. OF TRANSPORTATION  
State Project No. 36001-1275-14  
Federal Project No. NHE-15(99)  
State Route 15 (U.S. 64)  
FROM: W. of Bigbie Branch TO: Wayne Co. Line  
HARDIN COUNTY  
Near OLIVE HILL, TN

DATE: Aug 19, 2003

REV. DATE:

SHEET: 1 of 1

REVISED 11/19/03

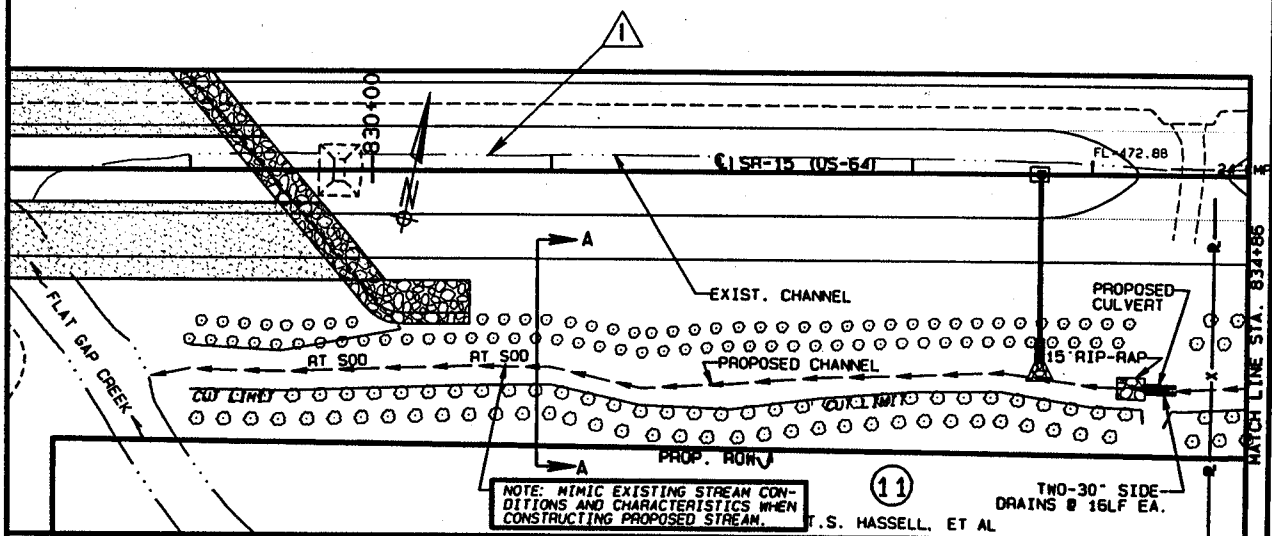
I404#1

I404# 2

File No. 200001070

PN 03-90

## Permit Sketch

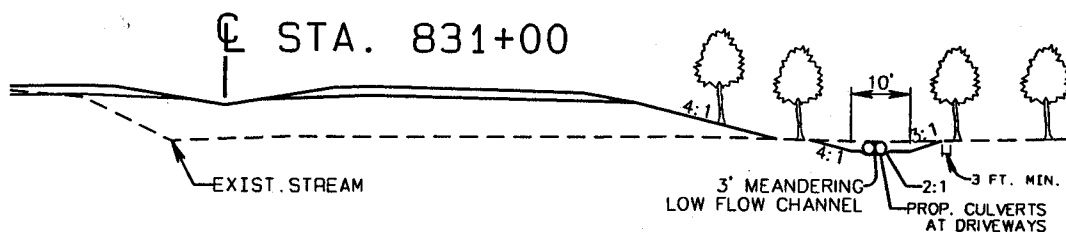


## NOTES:

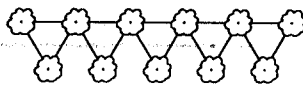
- ⚠ REMAINING STREAM IMPACTS ASSOCIATED WITH LOSS OF STREAM LENGTH WILL BE MITIGATED USING THE IN-LIEU FEE PROGRAM.

GRAPHIC SCALE

1" = 100'

SECTION A-A  
Scale: 1" = 30'

## PLANTING SCHEME FOR TREES



TREES WILL BE RANDOMLY PLANTED ALTERNATING ROWS ON 15 FT. CENTERS.

## TREE SPECIES

ACER NEGUNDO 1.25-1.5" CAL. B&B  
ACER RUBRUM 1.25-1.5" CAL. B&B  
BETULA NIGRA 1.25-1.5" CAL. B&B  
FRAXINUS PENNSYLANICA 1.25-1.5" CAL. B&B  
SALIX NIGRA 1.25-1.5" CAL. B&B

No substitutions for any of the above species will be accepted without written permission from the TDOT Environmental Planning and Permits Division. No clones or cultivars will be accepted. Any trees found to be either incorrect species, improperly planted, or which do not survive, at any time prior to termination of the contract, shall be removed and replaced at the contractor's expense. Stakes and wires will be removed immediately prior to contract termination.

## Sta. 827+70± (Rt.) to Sta. 847+50± (Lt.)

Existing open stream = 1,913 ft  
Existing culverts = 59 ft  
Proposed open stream = 1,774 ft  
Proposed culverts = 54 ft

## APPLICATION BY:

TENNESSEE DEPT. OF TRANSPORTATION  
State Project No. 36001-1275-14  
Federal Project No. NHE-15(99)  
State Route 15 (U.S. 64)  
FROM: W. of Bigbie Branch TO: Wayne Co. Line  
HARDIN COUNTY  
Near OLIVE HILL, TN

DATE: Jun 2, 2003

REV. DATE:

SHEET: 1 of 2

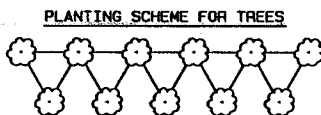
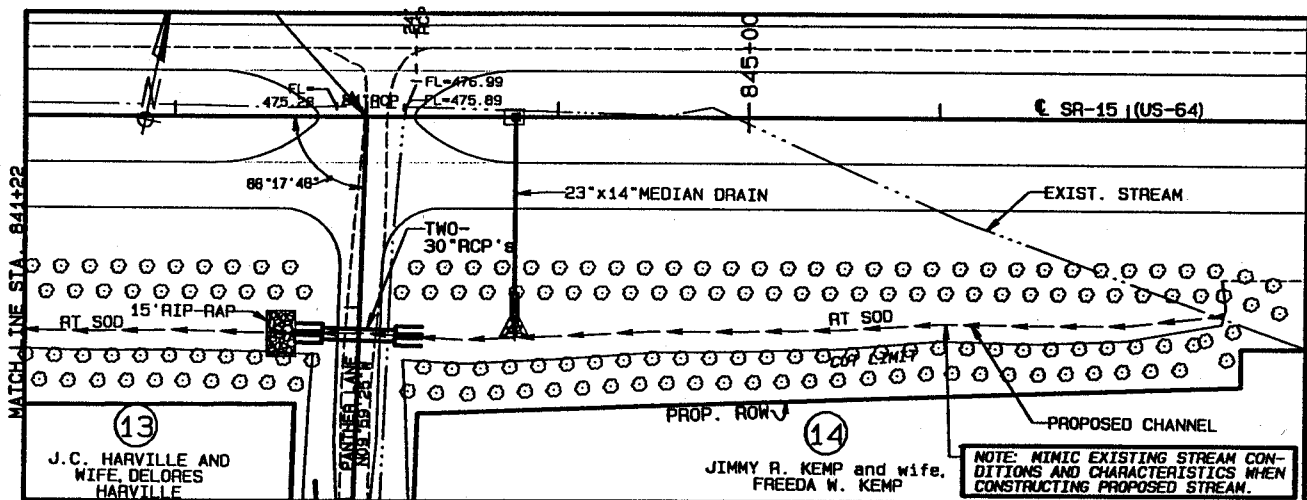
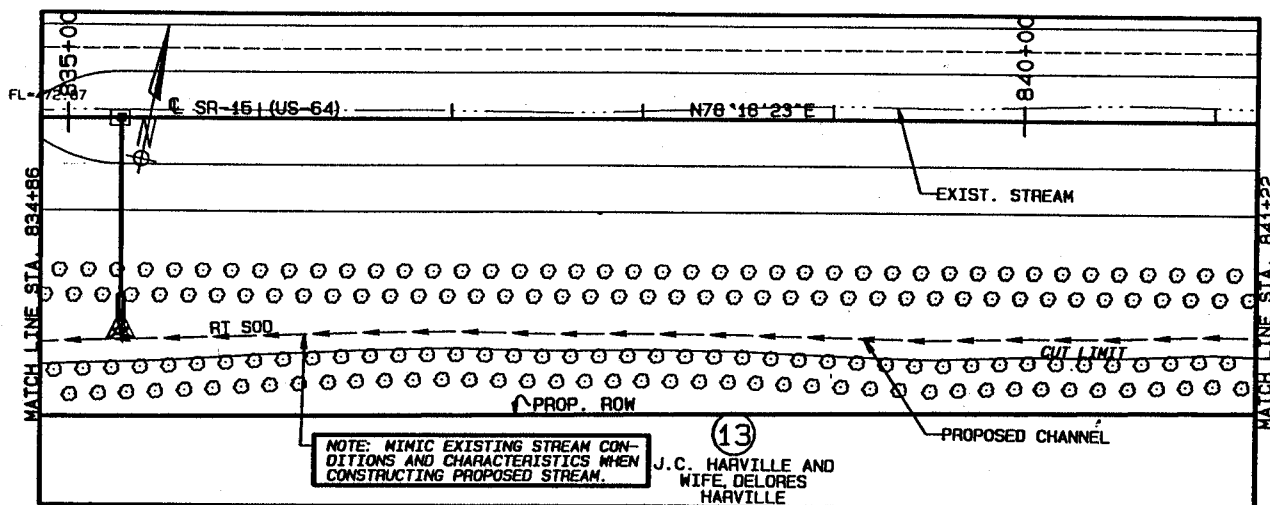
I404# 2

I404②



I404#2  
 File No. 200001070 AN 03-90

Permit Sketch



TREES WILL BE RANDOMLY PLANTED ALTERNATING ROWS ON 15 FT. CENTERS.

TREE SPECIES

ACER NEGUNDO 1.25-1.5" CAL. B&B  
 ACER RUBRUM 1.25-1.5" CAL. B&B  
 BETULA NIGRA 1.25-1.5" CAL. B&B  
 FRAXINUS PENNSYLANICA 1.25-1.5" CAL. B&B  
 SALIX NIGRA 1.25-1.5" CAL. B&B

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I404(2)

STA. 827+60 (RT) TO STA. 848+00 (RT)

APPLICATION BY:  
 TENNESSEE DEPT. OF TRANSPORTATION  
 State Project No. 36001-1275-14  
 Federal Project No. NHE-15(99)  
 State Route 15 (U.S. 64)  
 FROM: W. of Bigbie Branch TO: Wayne Co. Line  
 HARDIN COUNTY  
 Near OLIVE HILL, TN

DATE: May 8, 2003

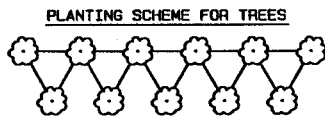
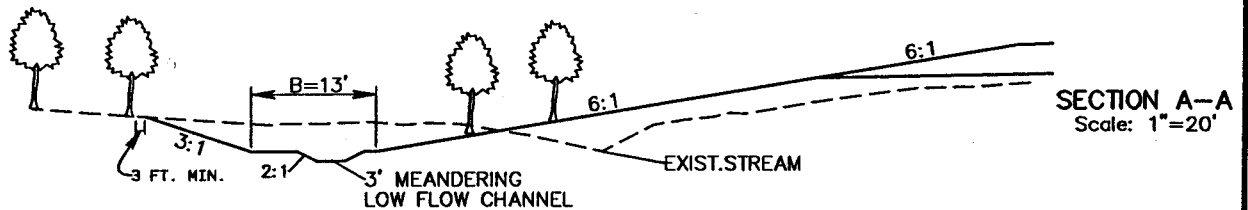
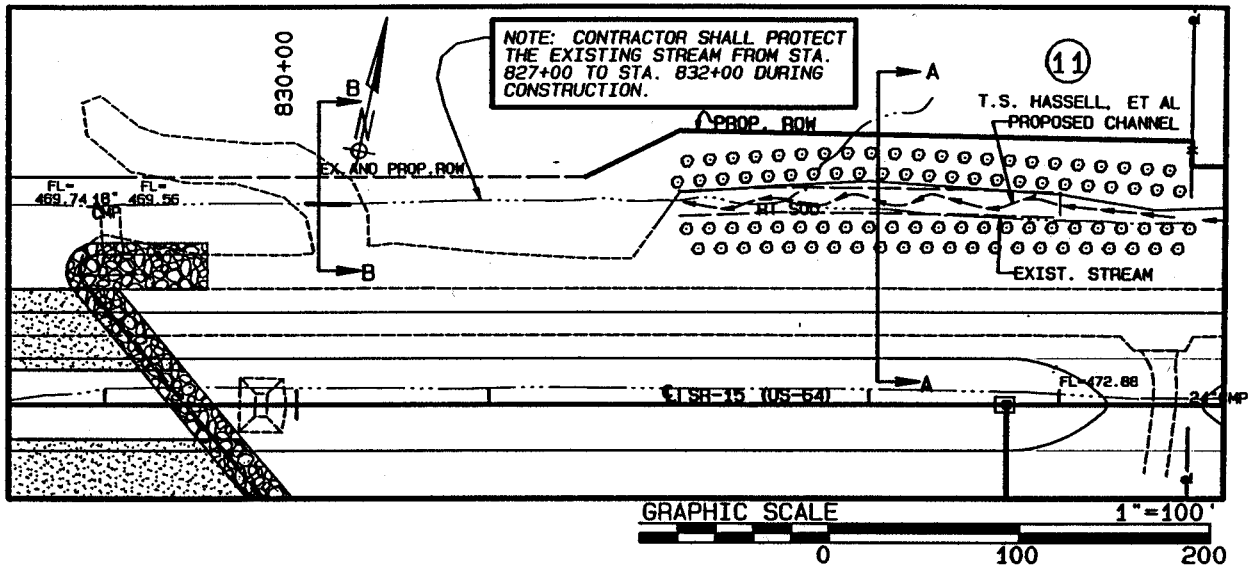
REV. DATE:

SHEET: 2 of 2

File No. 200001070

I404#3  
PN 03-90

Permit Sketch

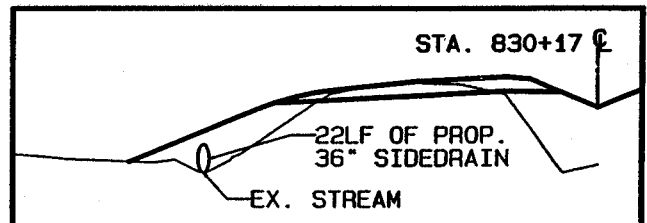


TREES WILL BE RANDOMLY PLANTED ALTERNATING ROWS ON 15 FT. CENTERS.

TREE SPECIES

ACER NEGUNDO 1.25-1.5" CAL. B&B  
ACER RUBRUM 1.25-1.5" CAL. B&B  
BETULA NIGRA 1.25-1.5" CAL. B&B  
FRAXINUS PENNSYLANICA 1.25-1.5" CAL. B&B  
SALIX NIGRA 1.25-1.5" CAL. B&B

No substitutions for any of the above species will be accepted without written permission from the IDOT Environmental Planning and Permits Division. No clones or cultivars will be accepted. Any trees found to be either incorrect species, improperly planted, or which do not survive, at any time prior to termination of the contract, shall be removed and replaced at the contractor's expense. Stakes and wires will be removed immediately prior to contract termination.



SECTION B-B

Scale: 1"=50' H., 20' V.

Sta. 832+00± (Lt.) to Sta. 834+80± (Rt.)

Existing open stream = 264 ft

Proposed open stream = 267 ft

Proposed structure length = 22 ft

I404 (3)

APPLICATION BY:

TENNESSEE DEPT. OF TRANSPORTATION

State Project No. 36001-1275-14

Federal Project No. NHE-15(99)

State Route 15 (U.S. 64)

FROM: W. of Bigbie Branch TO: Wayne Co. Line

HARDIN COUNTY

Near OLIVE HILL, TN

DATE: May 8, 2003

REV. DATE:

SHEET: 1 of 1

PN 03-90

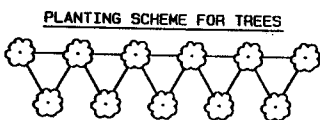
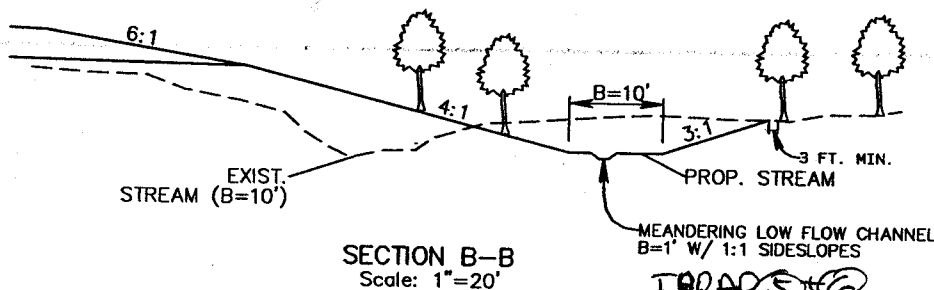
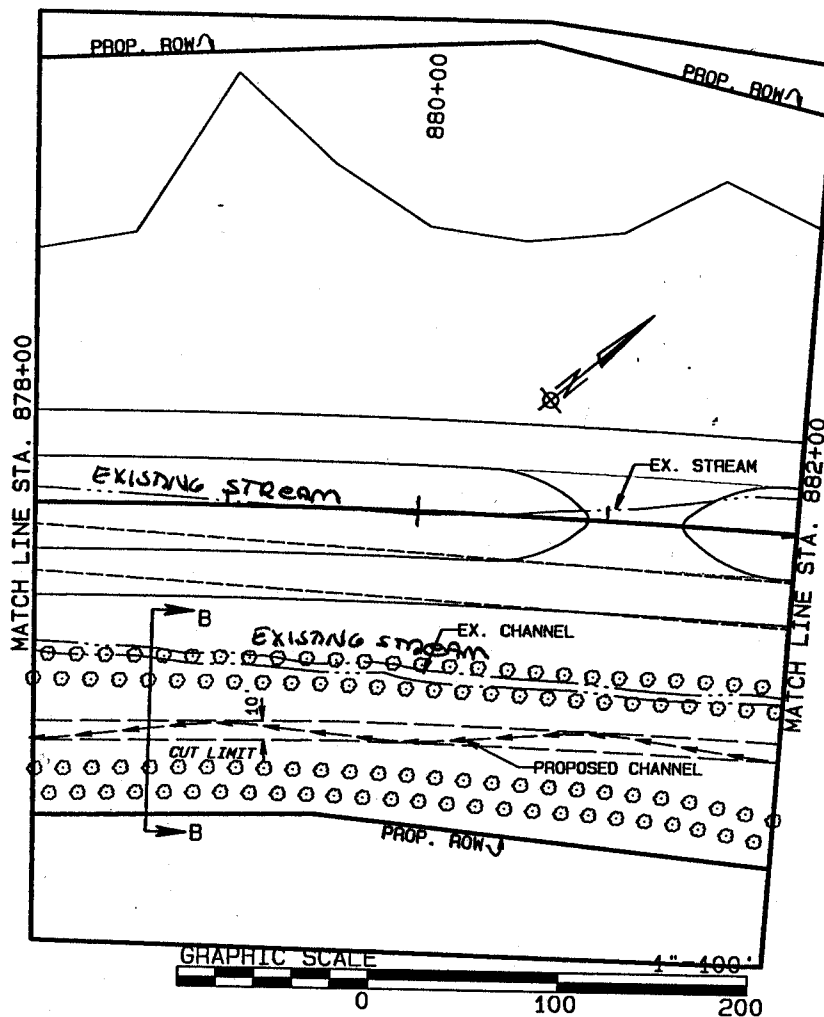
SHEET: 1 of 4

FILE No. 200001070

JARAP # 5

PN 03.90

Permit Sketch



TREES WILL BE RANDOMLY PLANTED ALTERNATING ROWS ON 15 FT. CENTERS.

TREE SPECIES

ACER NEGUNDO 1.25-1.5" CAL. B&B  
ACER RUBRUM 1.25-1.5" CAL. B&B  
BETULA NIGRA 1.25-1.5" CAL. B&B  
FRAXINUS PENNSYLANICA 1.25-1.5" CAL. B&B  
SALIX NIGRA 1.25-1.5" CAL. B&B

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JARAP # 5  
STA. 875+09± (LT) TO STA. 883+09± (LT)  
and  
STA. 874+65± (RT) TO STA. 891+00± (LT)

APPLICATION BY:  
TENNESSEE DEPT. OF TRANSPORTATION  
State Project No. 36001-1275-14  
Federal Project No. NHE-15(99)  
State Route 15 (U.S. 64)  
FROM: W. of Bigbie Branch TO: Wayne Co. Line  
HARDIN COUNTY  
Near OLIVE HILL, TN

DATE: May 8, 2003

REV. DATE:

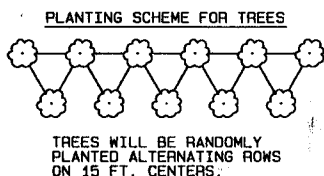
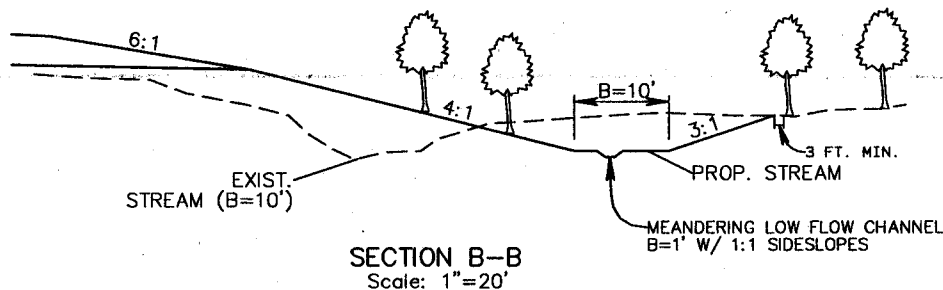
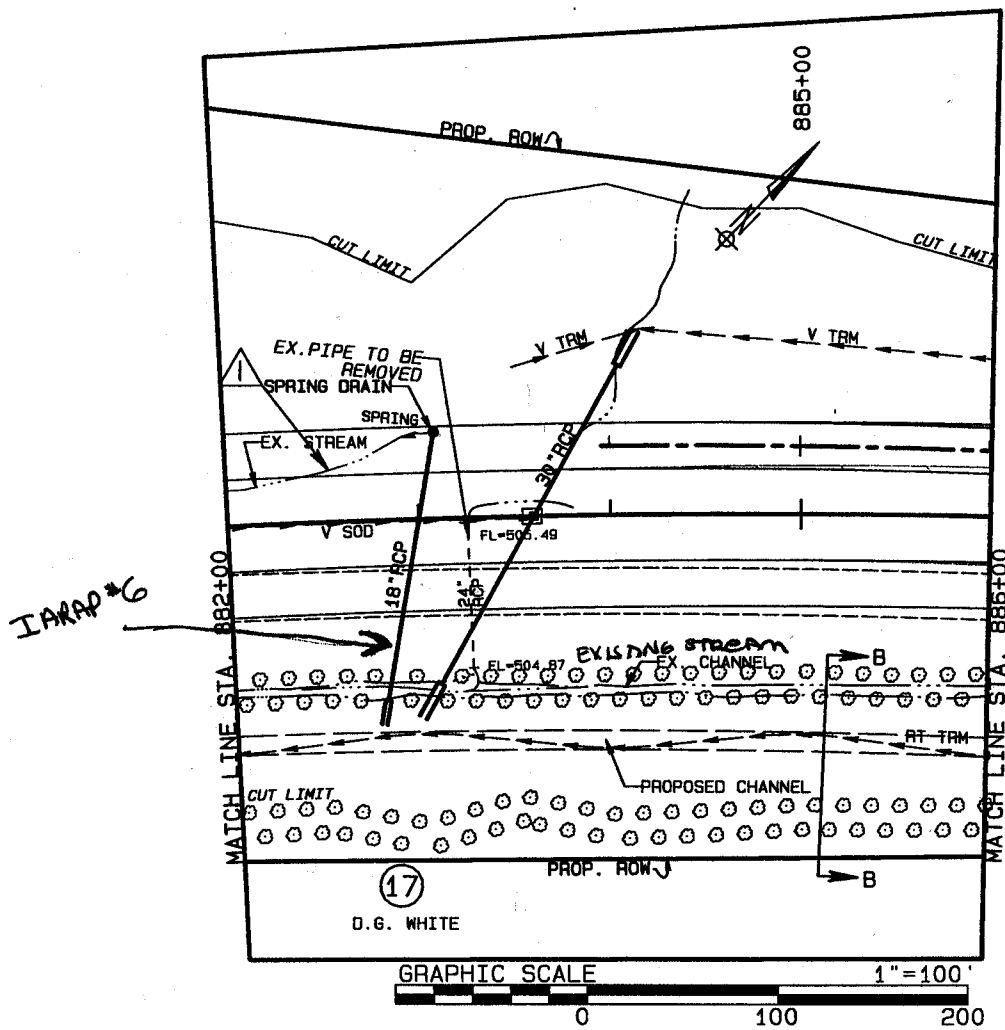
SHEET: 2 of 4

File No. 200001070

IARAP # 5

PN 03-90

# Permit Sketch



TREES WILL BE RANDOMLY PLANTED ALTERNATING ROWS ON 15 FT. CENTERS.

## TREE SPECIES

ACER NEGUNDO 1.25-1.5" CAL. B&B  
ACER RUBRUM 1.25-1.5" CAL. B&B  
BETULA NIGRA 1.25-1.5" CAL. B&B  
FRAXINUS PENNSYLANICA 1.25-1.5" CAL. B&B  
SALIX NIGRA 1.25-1.5" CAL. B&B

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STA. 875+09± (LT) TO STA. 883+09± (LT)  
and  
STA. 874+65± (RT) TO STA. 891+00± (LT)

APPLICATION BY: SECTION A-A  
TENNESSEE DEPT. OF TRANSPORTATION  
State Project No. 36001-1275-14  
Federal Project No. NHE-15(99)  
State Route 15 (U.S. 64)  
FROM: W. of Bigbie Branch TO: Wayne Co. Line  
HARDIN COUNTY  
Near OLIVE HILL, TN

DATE: Aug 20, 2003

REV. DATE:

SHEET: 3 of 4

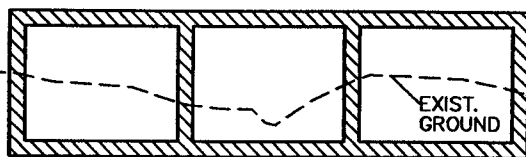
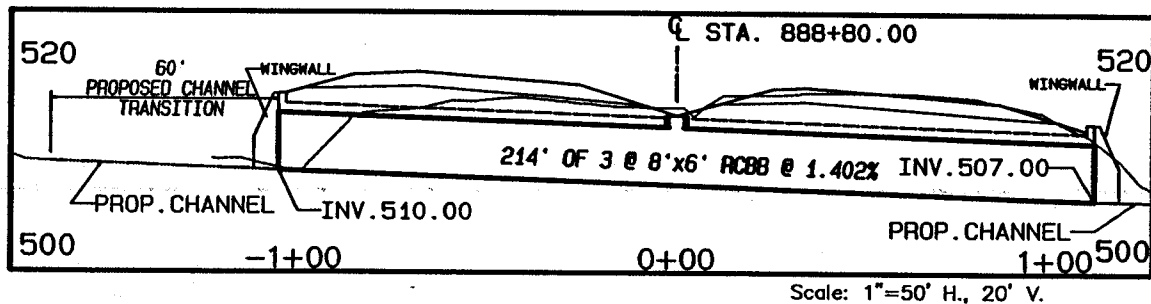
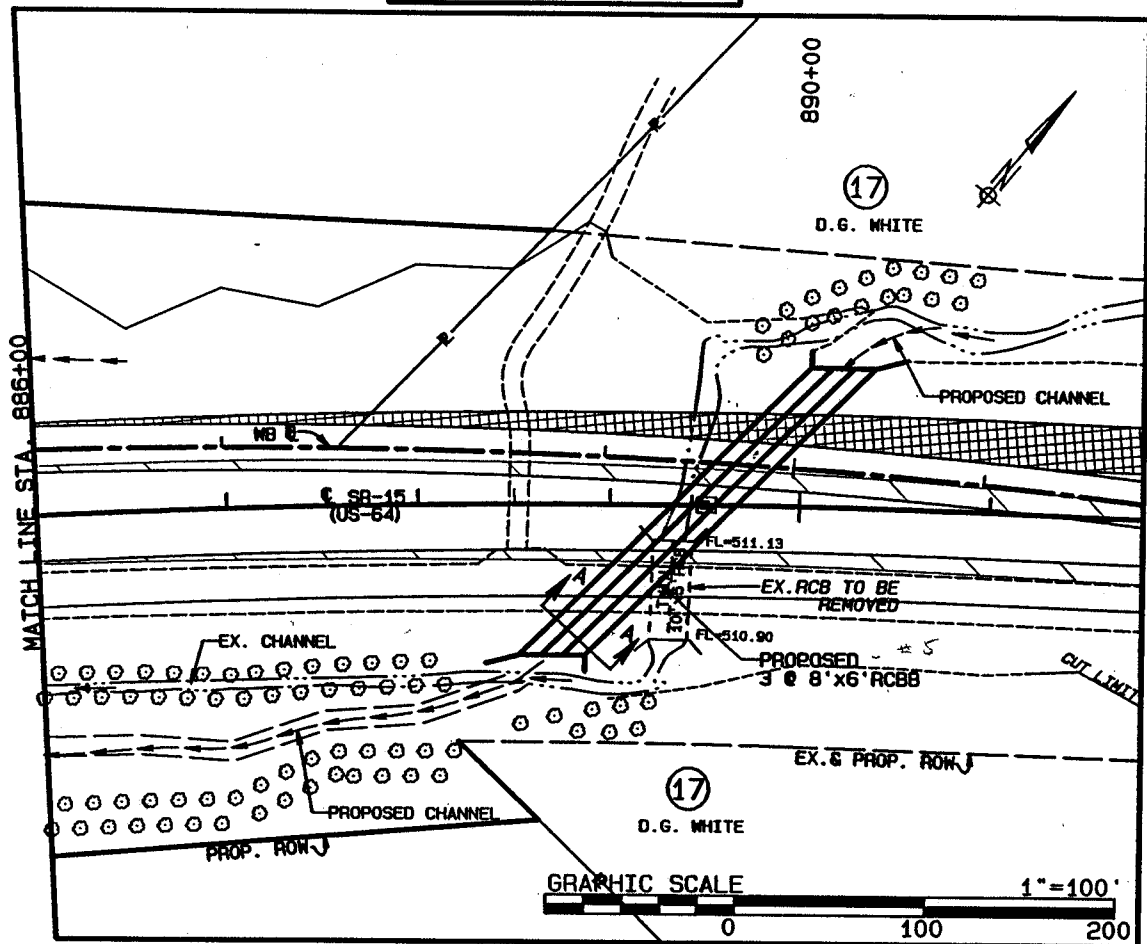
IARAP # 5

File No. 200001070

I ARAP #5

PN 03-90

Permit Sketch



SECTION A-A  
Scale: 1"=10'

PROPOSED  
BOX CULVERT

STA. 889+50 SKEW 45°  
214' OF 3 @ 8'x6' RCBB @ 1.402%  
D.A.=404AC Q50=581cfs  
WS50=515.05 WS100=515.63 V50=6.11fps

STA. 875+09± (LT) TO STA. 883+09± (LT)  
and  
STA. 874+65± (RT) TO STA. 891+00± (LT)

APPLICATION BY:

TENNESSEE DEPT. OF TRANSPORTATION  
State Project No. 36001-1275-14  
Federal Project No. NHE-15(99)  
State Route 15 (U.S. 64)  
FROM: W. of Bigbie Branch TO: Wayne Co. Line  
HARDIN COUNTY  
Near OLIVE HILL, TN

I ARAP #5

STA. 874+65± (RT) TO STA. 891+00± (LT)

Existing open stream = 1,766 ft  
Existing culvert = 52 ft  
Proposed open stream = 1,477 ft  
Proposed culvert = 214 ft

DATE: May 8, 2003

REV. DATE:

SHEET: 4 of 4

File No. 200001070 PN 03-90

Project # 36001-1275-14  
Project Description: SR-15, From 800 ft west of Bigbie Branch to Wayne Co. Line  
Table 1. Summary of Individual Permit (ARAP) Stream Mitigation

Permit ID.	Impact Stations	Exist. Open Stream Impact FT	Prop. Open Stream Length FT	Total Exist. Structure Length FT	Proposed Structure or Ext. FT	Total Structure Length FT	Surface Area Impact AC	Replacement Length Required FT	Replacement Length Prop. On-Site FT	Total In-Lieu Fee Length FT	In-Lieu Fee Impact I (x 0.50) FT	In-Lieu Fee Impact II (x 0.75) FT	In-Lieu Fee Impact III (x 1.0) FT
IARAP #1	Sta. 751+73	175.0	8.0	94.0	230.0 32 (endwalls)	262.0	0.016	261.0	0.0	261.0	0.0	0.0	261.0
I404 #1	Sta. 812+00+/- (RL) to Sta. 817+45+/- (RL):	495	514	25	26	26	0.05	482	502	0	0	0	0
I404 #2	Sta. 827+70+/- (RL) to Sta. 847+50+/- (LL):	1913	1774	59	54 30 (endwalls)	84	0.2	1838	1724	114	0	0	114
I404 #3	Sta. 832+00+/- (LL) to Sta. 834+80+/- (RL):	264	267	0	22	22	0.02	242	267	0	0	0	0
IARAP #2	Sta. 859+62+/- (RL) to Sta. 861+00+/- (RL):	189	10	67	222 38 (endwalls)	260	0.013	246	0	246.0	0	0	246.0
I404 #4	Sta. 860+90+/- to Sta. 864+45+/- (RL):	373	125	0	517	517	0.02	373	125	248	0	0	248
IARAP #3	Sta. 14+34 - Flat Gap Ck. Rd. (Sta. 867+00+/-; SR-15):	88	55	29	40	40	0.02	77	55	22	0	0	22
IARAP #4	Sta. 867+96.62	173	26	90	232	232	0.012	237	0	237	0	0	237
IARAP #5	Sta. 874+63+/- (RL) to Sta. 891+00+/- (LL):	1766	1477	52	214	214	0.49	1818	1477	341	0	0	341
IARAP #6	Sta. 875+06+/- (RL) to Sta. 883+00+/- (LL):	834	0	64	142 15 (endwalls)	157	0.04	741	0	741	0	0	741
I404 #1 & I404 #3	Additional Mitigation Provided												(45)
TOTALS		6270.0	4256.0	480.0	1814.0	1814.0		6314.5	4150.0	2210.0	0.0	0.0	2165.0
In-Lieu Fee Costs											\$0	\$0	\$433,000

In-Lieu Fee  
Impact I : Loss of riparian canopy on proposed stream relocation, channel modifications that deviate from or degrade the proper pattern, profile, dimension, and/or in stream habitat (riffles, pools, structures, etc.) and synthetic channel liners along banks (x 0.50)  
Impact II : Riprap lined channels (bottom & sides), channel modifications that significantly increase the existing channel cross sections to convey flood flows, riprap or concrete lined stream banks (both banks), impoundments (x 0.75)  
Impact III : Culverts/ Filling, loss of stream length, concrete lined channels (bottom & sides) (x 1.0)

Total In-Lieu Fee Cost = \$433,000